

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X **08 CIV 6332**

CHARLES JOYNER,

Plaintiff,

-against-

ANSWER

LALI KUMAR d/b/a THE C-LAB,

Defendant.

-----X

The Defendant, LALI KUMAR d/b/a THE C-LAB, by hs attorneys,
LICHTENSTEIN & SCHINDEL, as and for an Answer to the Complaint, allege as
follows:

1. Denies the allegations of the complaint numbered "1" and "2".

JURISDICTION AND VENUE

2. The Defendants, repeats, reiterates and restates each and every Answer to
the Complaint heretofore had herein contained in paragraphs numbered "1" as if more
fully set forth herein at length.

3. Denies the allegations of the complaint numbered "3","4", and "5", respectfully
referring all legal conclusions to the Court.

PARTIES

4. The Defendants, repeats, reiterates and restates each and every Answer to
the Complaint heretofore had herein contained in paragraphs numbered "1" through "3",
as if more fully set forth herein at length.

5. Denies knowledge or information sufficient to form a belief as to the allegations of the complaint numbered "6".

6. Denies the allegations of the complaint numbered "7", "8", "9", "10" and "11".

STATEMENT OF FACTS

7. The Defendants, repeats, reiterates and restates each and every Answer to the Complaint heretofore had herein contained in paragraphs numbered "1" through "6", as if more fully set forth herein at length.

8. Denies the allegations of the complaint numbered "12", "13", "15", and "16".

9. Denies knowledge or information sufficient to form a belief as to the allegations of the complaint numbered "14".

**AS AND FOR AN ANSWER TO THE FIRST CLAIM FOR RELIEF
FAIR LABOR STANDARDS ACT**

10. The Defendants, repeats, reiterates and restates each and every Answer to the Complaint heretofore had herein contained in paragraphs numbered "1" through "9", as if more fully set forth herein at length.

11. Denies the allegations of the complaint numbered "18", "19", "20", "22", "23", "24", "25", "26" and "27".

12. Denies knowledge or information sufficient to form a belief as to the allegations of the complaint numbered "21".

**AS AND FOR AN ANSWER TO THE SECOND CLAIM FOR RELIEF
NEW YORK STATE LABOR LAW**

13. The Defendants repeat, reiterate and restate each and every Answer to the Complaint heretofore had herein contained in paragraphs numbered "1 through 12" as if more fully set forth herein at length.

14. Denies the allegations of the complaint numbered "28" "29", "30", "31", and "32".

AS AND FOR A FIRST AFFIRMATIVE DEFENSE

15. Payment.

AS AND FOR A SECOND AFFIRMATIVE DEFENSE

16. The Court lacks personal jurisdiction over the defendant.

WHEREFORE, the Defendant demand judgment dismissing the Complaint of the Plaintiff, all together with such other and further relief as to this Court may deem just and proper.

Dated: Mamaroneck, New York
August 12, 2008

Yours, etc.,

SANDE E. LICHTENSTEIN

LICHTENSTEIN & SCHINDEL
Attorneys for Defendant
Sande E. Lichtenstein (SEL)
158 West Boston Post Road
Mamaroneck, New York 10543
Tel. (914) 698-3313
Fax: (914) 698-3478

TO: GOTTLILEB & ASSOCIATES
Attorneys for Plaintiff
150 East 18th Street, Suite PHR
New York, New York 10003
(212) 22874-9795